



SF 2318 – Antibullying (LSB 5993S5187)

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Fiscal Note Version – As amended by **S-5187** (House amendment)

Description

Senate File 2318, as amended by **S-5187**, requires all teachers that have regular and substantial contact with students to complete training on harassment and bullying prevention and response during professional development and training plans. All the training required by the amendment must be made available to trainees, schools, and school districts at no charge. Specifically the amendment:

- Requires all individuals responsible for conducting investigations of incidents of harassment or bullying applying for or renewing a license, certificate, authorization, or statement of recognition issued by the Board of Educational Examiners (BoEE) to complete training on harassment, bullying prevention and response, conducting impartial investigations with transparency, collecting evidence, following up on previous investigations, and reporting incidents of harassment and bullying to the Department of Education.
- Requires all individuals applying for or renewing an administrator license to complete training on implementation of school-wide policies and procedures for harassment and bullying identification, reporting, response, and prevention.
- Modifies the definition of “electronic” under Iowa Code section **280.28** to include any other electronic communication, site, device, or means to the definition and includes social networking sites and applications as part of the term “Internet-based communications.”
- Provides immunity from civil or criminal liability and participation in any administrative or judicial proceeding for a school district, school, or employee that reasonably and in good faith follows notification procedures.
- Requires all school districts and accredited nonpublic schools to establish notification procedures for incidents of harassment or bullying. Harassment and bullying policies must include a procedure for the notification of the parents or guardians of all students directly involved in a reported incident of harassment or bullying. The procedure may include an exception to the notification requirement if a school official reasonably believes notification will subject a student to abuse, neglect, or other physical or mental harm.
- Allows a student that participates in open enrollment to immediately participate in varsity athletic contests if the district of residence determines the student was subject to harassment or bullying while attending school in the district of residence. Typically, students that participate in open enrollment are ineligible to participate in varsity athletics during the student’s first 90 school days of enrollment in the district.

Assumptions

- Development of harassment and bullying prevention and response training will be done by the Area Education Agencies (AEAs) at a cost of \$22,500.
- The training materials will be made available online and will be hosted and maintained in the AEA system. Additional server space and support for costs related to hosting online training will cost \$125,000 per year.

- Programming support to create and maintain the training materials will require an additional FTE position housed within the AEA system at an annual cost of \$75,000 for salary and benefits.
- Currently, the AEA system offers other mandatory training at a cost of \$25 per licensee. The harassment and bullying prevention and response training will be paid by the licensee if the school districts do not use the subscription-based services for trainings offered through the AEA's.
- In the first year, four regional "investigation of bullying and harassment complaints" trainings will be conducted with a minimum of two attendees from each school district. The following year and subsequent years, two Statewide investigation trainings will be offered to sustain the number of district staff trained. The cost of each training session is estimated to be \$16,500.
- Teacher and administrator time spent in training and other related expenses will be paid for by using current funding levels.

Fiscal Impact

[Senate File 2318](#) as amended by [S-5187](#) will increase General Fund expenditures for the Area Education Agency system by \$288,500 and 1.0 FTE position in FY 2015 and \$233,000 and 1.0 FTE position for FY 2016 and subsequent fiscal years.

Sources

Department of Education
Area Education Agencies

/s/ Holly M. Lyons

April 25, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
